

Class Conflict in Rome

When the Romans expelled the Tarquins from the city in 509 B.C., the uprising—mostly of nobles, and led by a nobleman, Brutus—was a response to tyrannical practices that mostly affected only the nobility. In the following decades and even centuries Roman government, now aristocratic, often came under fire, but from plebeians protesting the tyranny of the aristocracy. Early in the fifth century, as the Romans were fighting the Aequi, Volsci, and Veientes, the plebeians became increasingly unhappy with the aristocratic government, for common people held no political offices and had little representation in the government. Moreover, as small-scale farmers, they lacked the financial resources to alleviate their lot. The farmer's life is difficult enough, but Roman farmers were also subject to periods of service in the Roman army, and Roman soldiers at that time did not receive pay for their military service. Many Romans, under the double burden of farming and soldiering, fell into debt and became vulnerable to the debt laws, which allowed the debtor in default of his loan to be sold into slavery or even killed by his creditor. Since the lenders were the wealthy aristocrats, the debtors and common people received little aid from the government.

The only help that the common people received had a social, not a legal, basis and actually served to strengthen the power of the aristocracy. This was the patron-client relationship. A poor, powerless person in need could seek the help and protection of a rich, powerful person—generally a noble—who, as the patron, would give the poor person—now his client—the legal and financial help he needed, but in turn would expect help and support

from the client when his own time of need arose. This relationship had almost religious overtones, and was passed down from generation to generation. While many patrons no doubt helped many plebeians avoid starvation, eviction from their houses, or prosecution in courts of law, the relationship still strengthened the power of the nobles. It shows how powerless the common people were in relation to the nobles, for patrons helped clients at their own pleasure and to meet their own goals. Further, many nobles amassed great numbers of clients because doing so increased their political power. The plebeians felt that with the expulsion of the monarchy, they had exchanged one king for a host of kings.

The citizens were grumbling that while they were fighting wars abroad for empire and freedom, at home they were enslaved and oppressed by other citizens; the freedom of the common people was safer in war than in peace and among the enemy than among fellow citizens. The outstanding calamity of one man further inflamed the common people's bitterness, already burning hot on its own.

A certain man of advanced age rushed into the forum, bearing the signs of all his misfortunes. His clothing was covered with filth, but fouler still was the condition of his body, pale and racked by disease. What's more, a long unkempt beard and hair made his face look like an animal's. He was nonetheless recognized, despite the change from what he had once been, and the people said that he had once been a centurion [in charge of 100 soldiers and roughly equivalent to a sergeant in the U.S. army]. Pitying him, they talked about his other awards for valor. He himself showed his proof of honorable battles—the wounds on his chest, a wound for each battle. To their asking why he had deteriorated so, he responded (now a great crowd had congregated, as if an assembly had been called) that while fighting in the Sabine war, he had not only lost his year's crop after the destruction of his farm, but also his cottage had been burned down, all his possessions stolen, and his flocks driven off; on top of that, taxes were levied during those hard times, forcing him to borrow money.

After interest was added to other losses, he finally lost the farm that his ancestors had worked, and then he lost everything else. After that, destruction came to his body like a disease; he was taken by his creditors not to slavery but to a workhouse and to the executioner. Then he showed his back, scarred with recent lashes of the whip. (Livy II.23.2–7)

The plebeians began to clamor for a change, but the senators and consuls could not agree how to alleviate their distress. During the deliberations, news came that the Volsci were marching on Rome—news that is said to have caused the common people to cheer and to encourage each other not to fight. They preferred that the city should perish rather than that the patricians should continue ruling them. The consul Servilius then issued an edict making it illegal to put a Roman citizen into chains or into prison for debt, thus keeping him from serving in the army; to seize or sell the property of any soldier on active service; or to interfere with his children or grandchildren. The Romans then conquered the Volsci.

The problem was still not solved. Servilius could accomplish very little against the opposition not only of the Senate—many of whom were allied to the creditors—but also of the other consul, Appius Claudius, who allowed creditors to put debtors in chains and in prison. Groups of citizens ganged up to protect fellow citizens who were about to be arrested, and beat back the lictors sent to make the arrest.

THE PLEBEIANS SECEDE; *TRIBUNI PLEBIS* CREATED

Finally, the common people decided to secede from Rome. With their weapons and provisions they encamped on the Sacred Mount, outside the city. Rome was surrounded by enemies, who were constantly looking to attack, so the city was vulnerable with most of its soldiers settling on the Sacred Mount. The Senate then sent Menenius Agrippa to speak with them, for they did not hate him as much as they hated the other senators. He gave this speech:

“Once upon a time, the parts of the body did not have one mind, as they now do, but each part had its own mind and its own voice. The parts of the body were indignant that by their work, slavery, and diligence, everything was sought for the stomach. The stomach, at rest in the middle, did nothing but enjoy the pleasures given it by the others. So they swore an oath that the hands would not carry food to the mouth, that the mouth would not receive the food that was given, and that the teeth would not chew the food that they had received. While they wanted to subdue the stomach by hunger, the members themselves and the whole body all at

the same time wasted away to nothing, all on account of their destructive anger. Consequently it became clear that it was not simply slavery to the stomach, and that the stomach was no more being fed than it was feeding, giving back to all the parts of the body the blood, equally divided between the veins, that it had made from the digested food; and that blood gives us existence and good health.” (Livy II.32.8–11)

Menenius then compared that story to the political problems in Rome, and the common people's anger cooled. The two sides negotiated and reached this decision: The plebeians were to have their own officers, called *tribunes*, who would represent them and protect them from the magistrates' abuses of power. The tribunes would be sacrosanct (immune to the power of those holding *imperium*), and no man from the patrician class could be a tribune. Eventually the tribunes gained the power to veto any action of the magistrates; armed with this *intercessio*, one tribune could put a halt to what the Senate and consuls were doing (see chapter 6).

THE TWELVE TABLES

The patricians still kept great power over the common people, because the tribunes were the plebeians' sole representatives in the government. All the magistrates were patricians, and the patricians alone knew the laws, which were not recorded, but were passed down orally through the generations. Undoubtedly the patricians changed the laws as they thought necessary and expedient. This imbalance of knowledge led to abuses of power and to civil strife. Finally, the two sides agreed to appoint a panel of ten men (called *decemviri*) to write down the laws for all to see, read, and learn. While this was taking place, normal government was suspended, and the ten ruled Rome, with their decisions immune to veto or appeal.

Roman tradition says that three Romans were sent to Athens to study the laws of Solon, one of the Seven Wise Men of Greece, who had created reforms to save Athens from civil war in 594 B.C. After returning to Rome, in 451 B.C. the *decemviri* produced ten tables of laws, which were written on bronze or wooden tablets (Latin *tabulae*). More were needed, however, so the ten then

produced two more tables. The Twelve Tables, as they were called, became the foundation of Roman law. Once they had completed their work, the *decemviri* soon began to abuse their power and became hated by all; the usual government was then restored.

Although Roman schoolboys are said to have learned the Twelve Tables by heart, only fragments of the Twelve Tables survive, and their meaning is not always clear. Yet we can see in them both the Romans' concern for creating a civil, orderly society and also their respect for individual rights and property. Some of the laws, for example, established standards for legal procedure: how one citizen might call another to court, and what to do if he refused to come or ran away. Another such law stipulated that a judge who accepted a bribe should suffer capital punishment, and that a person who lied under oath must be hurled from the Tarpeian Rock.

Other laws detailed certain civil rights. For example, a citizen was guaranteed a trial before execution. A man in default of a debt was allowed a grace period of thirty days before being liable to arrest and being summoned to court; after the grace period, he could be put in chains and imprisoned, if the creditor wished, yet if the creditor decided to imprison the debtor, he had to feed him. One law prohibited marriage between plebeians and patricians; another guaranteed that a measure approved by the people had the force of law.

The Romans' concern for property rights is seen in other laws. If a man willfully destroyed another's building or heap of grain, he was to be flogged and burned at the stake, but if the destruction occurred because of his negligence or by accident, he had to repair the damage; if he was very poor, he would receive a lighter punishment. Another law concerning property probably gave Roman women some protection from abusive husbands and their families. With the exception of the Vestal Virgins, Roman women, by law (because of their supposed "lightness of mind," *levitas animi*), were not allowed to be independent; they had to have a male guardian, whether a father, husband, or other male family member, who exercised legal rights for them. A married woman and her father's family retained legal power over her and her property if once a year she spent three continuous nights (*trinoctium*) away from her husband's house; otherwise, she and her property—

including her dowry, which could be a substantial sum of money—would fall under the legal control of her husband and his family. Because of the *trinoctium*, a Roman woman could seek not just moral and emotional support from her own family, but even legal support, for she was not totally dependent upon her husband and his family. Another measure to protect the powerless held that if a patron defrauded his client, he was to be considered cursed.

The Twelve Tables formed the basis of *ius civile*, "civil law"—that is, law that concerns the rights of citizens. As the Roman empire expanded, Roman law naturally became the law of the entire empire. In the Middle Ages, scholars rediscovered Roman law and used it as the basis for the law codes of European countries. Roman law thus became one of the most important elements in the development of Western civilization (Wolff, *Roman Law*, p. 4).

CONTINUING CLASS CONFLICT

Although their legal position was stronger under the law of the Twelve Tables, the plebeians in Rome still faced many difficulties. The patricians controlled the government, the army, and the courts, and plebeians were excluded from positions of power and authority not only by tradition and precedent, but also by religion and law. For example, until 445 the plebeians were barred even from intermarriage with the patricians. That same year the tribunes agitated for a law to allow the plebeians to run for the consulship, although they still had not gained even the quaestorship. The patricians fiercely contested the bill, arguing that because the plebeians were not allowed to take the auspices (that is, to interpret the will of the gods from observations of natural phenomena), which was one of the consular duties, they could not be consuls. The plebeians were outraged.

The tribunes, making use of their veto, were obstructing everything the magistrates and Senate tried to accomplish, including the enlistment of soldiers to face Rome's enemies, who were using Rome's internal discord as an opportunity to invade. The patricians therefore suspended the consulship and allowed the creation of a new type of magistrate, the "military tribune with consular power." This new office was open to the plebeians, although they

were still barred from the consulship. At first there were three military tribunes; later the number was increased to five. However, no plebeian was elected military tribune until 400 B.C., ten years after the election of the first plebeian quaestor.

During those turbulent times, the Senate in 406 finally approved payment for soldiers. That the republic, governed by the nobles, had been waging wars for more than a century but had never yet paid the common soldiers for their time away from their farms reveals the depth of the problems between the classes: The patricians could afford to go off on long campaigns, while the common soldiers suffered greatly from such absences—the story of the impoverished centurion was probably not uncommon. If victorious, the soldiers could gain loot from the conquered, but the commanding officer decided whether or not to allow the soldiers to loot the defeated side, and he and his staff decided who received what.

It was not until the passage of the *Leges Liciniae Sextiae* in 367 B.C. that plebeians were allowed to run for the consulship and join the board in charge of performing the sacred rites. The next year, in 366, the tribune G. Licinius Stolo, one of the authors of the *Leges Liciniae Sextiae*, became the first plebeian to be elected consul. Gradually it became a tradition that one of the two consuls should be a plebeian. (It is worth noting that Lucius Genucius, who in 362 became the first plebeian consul to lead the army against a serious enemy, was disastrously defeated and killed, thus allowing the patricians to claim that the gods were angry that the plebeians had polluted the consulship.) Also in 366 the praetorship was created, and plebeians were allowed to run for this office. G. Marcius Rutilus was the first plebeian elected dictator (356) and censor (351).

To the ordinary plebeians, it probably meant little that men of their class held positions of high authority and power. The ordinary plebeians would still be plagued by the persistent problems of debt and land hunger. Later, when Rome had captured huge numbers of slaves in overseas wars, the plebeians suffered from unemployment and underemployment, for cheap and abundant slavery made it unnecessary for the wealthy to hire workers. The plebeians in the government, being rich and well connected,

did not share the concerns of the ordinary plebeians; although grouped in the same class with ordinary plebeians, the high-status plebeians were themselves nobles and had much more in common with the patricians, with whom they had social dealings, marriage alliances, political deals, and business interests. They had little connection with the poor and distant *vulgus* ("masses," hence the English word *vulgar*) clamoring for land, jobs, and grain. As late as 287 B.C. the plebeians seceded once again, this time to the Janiculum, because of debt laws and usury; their secession forced the passage of the *Lex Hortensia*, which allowed bills passed by the Popular Assembly to become law. The class problems remained unsolved, and caused more civil turmoil in the late second and first centuries B.C.

Guiding Questions for annotation on the reading:

- 1.** What is the nature of the patron-client relationship? How did it build the power of the Roman nobility?
- 2.** What were the key issues that initially sparked class conflict in Rome?
- 3.** What was the event that aided the cause of the people to push the senators to negotiate? Why was it useful for the plebs?
- 4.** What were the initial concessions made to the plebs?
- 5.** Describe the secession of the plebs, and its purpose.
- 6.** What is the tribune of the plebs, and what is its value to the people?
- 7.** What are some of the key provisions of the Twelve Tables? How do the Twelve Tables compare to the Constitution?
- 8.** What were the ongoing issues and prejudices that the plebs faced? How were they prevented from participating in government and in civil life?
- 9.** What specific laws and rules passed which gave the plebs greater freedom and participation in Roman government?
- 10.** Ultimately, how did the issue of class conflict morph by the end of this reading? Why is the issue unresolved?